



To create lasting memories for every person, every time.

MIS is opposed to legislation that gives ticket scalpers more rights.

While purportedly consumer friendly and “free market” oriented, this bill will only benefits ticket scalpers at the expense of fans and limit the rights of property owners.

This bill would artificially shape the market place as advantageous to scalpers at the expense of fans. It would limit the ability of promoters, artists, venues, and teams, who finically and creatively, invest in putting on events, to determine the terms under which THEIR tickets may be sold. None of the money that brokers make goes to the teams, promoters, artists, etc. who actually own these rights – both physical and intellectual property.

A ticket is a license. The ticket represents rights given by the owner of a property allowing the licensee to do some act that otherwise would not be permitted. It is a personal, revocable and unassignable privilege conferred on the licensee – a contract. A ticket, whether it is a piece of paper, a wristband, or a bar code on an electronic device, is a contract for a person to occupy a space for a limited amount of time on private property. A person who buys a license does not own the property. Think of buying software from Microsoft. You purchase a license that gives you the right to use the software, but it doesn't mean you own the software.

The proposed bill would actually establish otherwise – giving the purchaser of the ticket a property interest which conflicts with many private property laws.

Though scalpers argue that they are only serving the free market, we argue that it is exactly the opposite. The free market works when we set the prices, not when a scalper buys huge blocks of tickets and ratchets up the price, driving out all but a few well healed buyers who, more often than the scalpers want you to believe, are not die-hard loyal supports.

We are not opposed to a secondary resale market for individuals (many teams and artists have mechanisms for individuals to re-sell their tickets), but this is about large, out-of-state companies, such as Stub Hub, who buy and resell huge blocks of tickets, driving out real fans. As more and more fans are unable to purchase affordable tickets to events, their interest fades making it difficult for teams, venues and artists to retain and build long-term equity in their product.

A great example is student prices tickets for college football and basketball. The demand is huge, but colleges have the rights to keep prices lower (perhaps to their short-term financial detriment) in order to ensure that students (knowing that students not only create great atmosphere, but also represent a substantial long-term revenue stream as alumni) can attend games. Essentially, this bill would limit the team, promoter, artist to set their own prices for their own events.

In addition, when tickets are sold in the secondary market, we do not know who is using those tickets. At best, this leads to us not having their data to market to in the future and, at worst, having no recourse in rare, but serious situations such as when fans attacked basketball players in the crowd a couple of years ago. The team was able to look into their ticket system and ascertain the names of those involved.

Lastly, larger brokers, such as Stub Hub, do not knowingly engage in this activity, but there are scalpers that knowingly sell counterfeit tickets. Giving scalpers more rights will only cause the proliferation of those that operate in the shadows and take advantage of fans.

**Please oppose this legislation and support our Michigan live entertainment industry and fans.**

**Sincerely the Michigan Sports & Entertainment Industry Coalition**